

## **REMARKS**

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-23 are pending.

Claims 1-20 stand rejected under 35 U.S.C. §102(e) as being unpatentable over Sewall. Applicants respectfully traverse this art grounds of rejection.

Sewall does not disclose or suggest "calculating a self similarity ratio value, representing a periodicity characteristic," as recited in claim 1.

On page 2 of the Office Action, the Examiner indicates that he is reading the self similarity ratio value, representing a periodicity characteristic, on the second-order moment taught by Sewall such as in column 8, lines 26-65. The second-order moment taught by Sewall does not represent a periodicity characteristic of an input signal. The value of the second-order moment depends on the variance of an input signal's amplitude only, and does not represent the periodicity of the signal. Namely, a larger variance in the amplitude of an input signal produces a larger second-order moment. This is easily seen by the equation representing the second-order moment in column 8, line 50. As shown, there is no time-related factor in this equation. For example, whether the  $m_1$  and  $m_2$  values are created by summing samples 1-N in order or in some random arrangement, the same value is achieved. If the second-order moment were to provide some representation of a periodicity

characteristic, then changing the order in which the samples were treated would change the value of the second-order moment. Since this is not the case, the Examiner should surely appreciate that the second-order moment does not represent a periodicity characteristic. As such, Sewall does not disclose or suggest "calculating a similarity ratio value, representing a periodicity characteristic," as recited in claim 1.

Claim 11 includes similar limitations to those discussed above with respect to claim 1, and is therefore patentable, at least for the reasons stated above with respect to claim 1.

Claims 2-10 and 12-20, dependent upon one of claims 1 and 11, are patentable for the reasons stated above with respect to claims 1 and 11 as well as on their own merits.

Applicants respectfully request that the Examiner withdrawn this art grounds of rejection.

Claims 21-23 have been newly added. These claims depend from allowable claim 1, and therefore, are allowable at least for the reasons stated above with respect to claim 1.

## **CONCLUSION**

In view of above remarks, reconsideration of the outstanding rejection and allowance of the pending claims is respectfully requested.

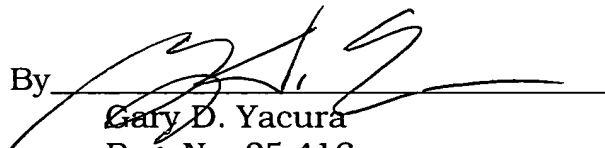
If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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